

Sunset Public Hearing Questions for
STATE FAMILY SUPPORT COUNCIL
Created by Section 33-5-208, *Tennessee Code Annotated*
(Sunset Termination June 2016)

1. Provide a brief introduction to the State Family Support Council, including information about its purpose, statutory duties, staff and administrative attachment.

State Council Purpose and Statutory Duties:

The State Family Support Council serves in an advisory capacity to the Department of Intellectual and Developmental Disabilities. The State Family Support Council, a majority of whose members are individuals with disabilities or their family members, provides guidance to the Department in the development of program policies and procedures, and implementation of Family Support.

T.C.A. Section 33-5-209. Participation of Department with Family Support Council:

- A. The department shall adopt policies and procedures regarding the development of appropriations requested for family support.**
- B. Unless the commissioner determines an exigent circumstance exists, the department shall seek input from the state family support council prior to adopting policies and procedures regarding:**
 - (1) Program specifications:**
 - (A) Criteria for program services;**
 - (B) Methodology for allocating resources to families within the funds available;**
 - (C) Eligibility determination and admissions; and**
 - (D) Limits on benefits;**
 - (2) Coordination of the family support program and the use of its funds equitably throughout the state, with other publicly funded programs, including Medicaid;**
 - (3) Resolution of grievances filed by families pertaining to actions of the family support program, and an appeals process;**
 - (4) Quality assurance; and**
 - (5) Annual evaluation of services, including consumer satisfaction.**

Staff:

The State Family Support Council itself has no staff. However, Jan Coatney, an employee of the Department of Intellectual and Developmental Disabilities, coordinates and oversees the statewide operation of the program in conjunction with the Department of Intellectual and Developmental Disabilities Regional Office staff.

Administrative Attachment:

Operations of the Family Support Program are the responsibility of the Department of Intellectual and Developmental Disabilities. The Department establishes policy for the program in conjunction with the

State Family Support Council. The Council also assists the Department in oversight of the program and in the resolution of issues related to implementation of the program.

2. Provide a list of current council members and explain how membership complies with Section 33-5-208, *Tennessee Code Annotated*. Are there any vacancies on the council and, if so, what is being done to fill those vacancies?

**TENNESSEE FAMILY SUPPORT COUNCIL
FY 2014 – 2015**

District 1 Term Expires June 30, 2017 1st Term	Paula Bridges P.O. Box 30 Johnson City, TN 37605 (423) 434-5600 E-Mail: paulabridges@dawnofhope.com
District 2 Term Expires June 30, 2017 2nd Term	Linda Rutherford 272 Dogwood Lane Jacksboro, TN 37757 (423) 562-9017 E-Mail: linlala272@hotmail.com
District 3 Term Expires June 30, 2015 1st Term	Kaye Foust 3608 Bowman Circle, NE Cleveland, TN 37312 (423) 472-0393 E-Mail: khfoust@gmail.com
District 4 Term Expires June 30, 2015 1st Term	Amanda Ferrell 1561 Arcadia Road McMinnville, TN 37110 (931) 743-1335 E-Mail: agferrell@hotmail.com
District 5 Term Expires June 30, 2015 1st Term	Errol Elshtain, Chair 4010 Wallace Lane Nashville, TN 37215 (615) 383-5491 E-Mail: errol.elshtain@gmail.com
District 6 Term Expires June 30, 2016 1st Term	Chesley Enloe 720 Alton Avenue Shelbyville, TN 37160 (931) 684-6182 E-Mail: chesley.enloe@att.net
District 7 Term Expires June 30, 2017 2nd Term	Clarissa Williams, Vice Chair 4121 King Drive Milan, TN 38358 (731) 414-1852 E-Mail: clarissahaltonwilliams@gmail.com
District 8	Daryll McGuire

Term Expires June 30, 2016 1st Term	54 Fair Oaks Place Jackson, TN 38305 (731) 668-3888; ext. 160 E-Mail: daryll.mcquire@starcenter.tn.org
District 9 Term Expires June 30, 2017 1st Term	Wanda Baker 4780 Highway 195 Somerville, TN 38068 (901) 351-2418 E-Mail: wanda_b@tndisability.org
TN Council on Dev, Disabilities Term Expires June 30, 2015 1st Term	Lynette Porter Davy Crockett Tower, 1st Floor 500 James Robertson Parkway Nashville, TN 37243 (615) 532-4684 E-mail: lynette.porter@tn.gov
Center for Independent Living Term Expires June 30, 2016 1st Term	Bob Leonard 1027 Mineral Wells Avenue Suite 3 Paris, TN 38242 (731) 644-1116 E-mail: bob@tarp1.org
TNCO Term Expires June 30, 2016 1st Term	Phillip Garner P.O. Box 847 Waynesboro, TN 38485 (931) 722-5401 E-mail: phillip.garner@buffalo-river-services.com
Tennessee Dis. Coalition Term Expires June 30, 2017 1st Term	Sarah Sampson 955 Woodland Street Nashville, TN 37206 (615) 515-8617 E-mail: sarah_s@tndisability.org
At Large Term Expires June 30, 2015 1st Term	Marian Nichols - DIDD 5721 Marlin Road Chattanooga, TN 37411 (423) 634-6149; ext. 122 E-Mail: marian.nichols@tn.gov
At Large Term Expires June 30, 2016 1st Term	Jim Shulman – Commission on Aging & Disability Andrew Jackson Building, 9th Floor 502 Deaderick Street Nashville, TN 37243 (615) 532-4543 E-Mail: jim.shulman@tn.gov

Staff Support Jan Coatney
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Updated June 2015

Compliance with TCA Section 33-5-208 Regarding Membership

The commissioner shall appoint a state family support council comprised of fifteen (15) members, of whom at least a majority shall be persons with severe or developmental disabilities or their parents or primary care givers. The council shall have one (1) representative from each development district of the state, one (1) representative of the council on developmental disabilities, one (1) representative of the Tennessee disability coalition, one (1) representative of the Tennessee community organizations, and one (1) representative of a center for independent living. The commissioner shall appoint two (2) at-large members for the department.

Membership of the State Family Support Council fully complies with TCA Section 33-5-208.

- **Of the fifteen members of the Council, nine are persons with a severe or developmental disability or their parents or primary care givers.**
- **The Council has at least one representative from each development district of the state.**
- **The Council has one representative from each of the agencies named in TCA Section 33-5-208.**
- **The Council has two departmental representatives.**

The Commissioner of the Department of Intellectual and Developmental Disabilities appoints members to the Council. When a vacancy occurs in a district, the District Family Support Council nominates someone to serve on the State Family Support Council. This individual is a consumer (i.e. an individual with a severe disability or member of a family containing a member with a severe disability). The State Family Support Council approves/disapproves the District Council nomination. If the State Family Support Council approves the nomination, it is submitted to the Commissioner of the Department of Intellectual and Developmental Disabilities for consideration. Agencies named in TCA Section-33-5-208 nominate an individual to serve on the State Family Support Council. These recommendations are submitted to the Commissioner of Department of Intellectual and Developmental Disabilities.

There are no vacancies at this time on the State Family Support Council.

3. Does the council's membership include public/citizen members? Female members? Members of racial minorities? Members who are 60 years of age or older?

Of the fifteen members of the State Family Support Council, nine are public/citizen members, nine are female, three are of racial minority, and four are over 60 years of age.

4. How many times did the council meet in fiscal years 2013 and 2014 and to date in fiscal year 2015? How many members were present at each meeting?

The State Family Support Council met four times during FY 2013, 2014, and 2015.

Meetings for FY 2012/2013:

August 14, 2012 – Thirteen members were present

November 13, 2012 – Eight members were present

February 12, 2013 – Thirteen members were present

May 14, 2013 – Ten members were present

Meetings for FY 2013/2014:

August 13, 2013 – Eleven members were present

November 12, 2013 – Fourteen members were present

February 11, 2014 – Twelve members were present

May 13, 2014 – Twelve members were present

Meetings for FY 2014/2015:

August 12, 2014 – Nine members were present

November 12, 2014 – Thirteen members were present

February 10, 2015 – Thirteen members were present

May 12, 2015 – Ten members were present

5. What per diem or travel reimbursement do council members receive? How much was paid to council members during fiscal years 2013 and 2014 and to date in fiscal year 2015?

To support State Family Support Council members' attendance at the quarterly meetings, they are provided lunch for those meetings, are reimbursed for Personal Assistant Care or Respite Care (as needed), and mileage. Non-agency members who live over 150 miles from Nashville may be reimbursed for one night's lodging and meals.

Total travel reimbursement for the State Family Support Council:

FY 2013 – \$2,747.74	FY 2014 – \$4,024.51	FY 2015 – \$5,143.26
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6. What were the council's revenues (by source) and expenditures (by object) for fiscal years 2013 and 2014 and to date for fiscal year 2015? Does the council carry a fund balance and, if so, what is the total of that fund balance? If expenditures exceeded

revenues, and the council does not carry a fund balance, what was the source of the revenue for the excess expenditures?

The State Family Support Council is a volunteer organization without a specific budget of expenditures and revenue nor does it carry a fund balance. The Council provides oversight and direction to agencies that receive Family Support grants from the Department of Intellectual and Developmental Disabilities.

The travel expenditures represented in Question 5 above are directly paid by DIDD on behalf of and in support of the Council.

7. Is the council subject to Sunshine law requirements (per Section 8-44-101 et seq., *Tennessee Code Annotated*) for public notice of meetings, prompt and full recording of minutes, and public access to minutes? If so, what procedures does the council have for informing the public of its meetings and making its minutes available to the public?

The State Family Support Council is not a governing body and is not subject to the Sunshine law requirements. Although, the State Council does have open meetings for anyone who wants to attend. The dates of State Council meetings are posted on the Departments web site: <http://www.tn.gov/didd/>. The following language is on each meeting agenda:

"The Council meeting is open to the public. Individuals who wish to speak may be put on the agenda prior to the meeting. Due to state and federal confidentiality laws, the meetings will be closed to the public if there is any discussion pertaining to a specific family or individual - only Council members, family/individual, or agencies directly involved may participate."

8. Please describe what policies and procedures the council has in place to address potential conflicts of interest by council members, staff and employees.

The State Family Support Council does not have policies in place to address potential conflicts of interest. The Council has no direct contact with the disbursement of funds nor do they have direct access to any funds.

9. Does the council have the authority to promulgate rules? If such authority is not granted, does the council feel that authority is needed?

The State Family Support Council does not have rule-making authority and cannot promulgate rules. The Council participates with the Department of Intellectual and Developmental Disabilities in developing policies and procedures for the Family Support Program. The Department Intellectual and Developmental Disabilities, which is administratively responsible for the program, have rule-making authority.

10. Does the council have a website? Is so, please provide the web address. What kind of public information is provided on the website?

The Council does not have a web site but information about the Council can be found on the Departments web site:

http://www.tn.gov/assets/entities/didd/attachments/Family_Support_Program_-_Guidelines.pdf

11. What were the major accomplishments of the council during fiscal years 2013 and 2014 and to date in fiscal year 2015? Include a discussion of the council's activities in the areas identified in Section 33-5-209, *Tennessee Code Annotated*.

State Council Activities and Other Accomplishments:

During the last three years the State Family Support Council assisted the Department of Intellectual and Developmental Disabilities in several accomplishments to improve and implement the Family Support Program.

- **A new three year contract began for the Family Support Program in FY 2013. The State Family Support Council updated the application and participated in the selection and approval process.**
- **A contract agency notified the Department that they would be closing mid-year. The State Council and the Department issued a Family Support application in the East region and approved a new agency to begin services prior to the agency closing.**
- **The State Family Support Council held a recognition ceremony and luncheon for sixteen Council volunteers across the state that have unselfishly given their time to the Family Support Program for almost twenty years. The State Council, Commissioner of the Department and one of the founding members of the program expressed their gratitude and appreciation to the Charter members.**
- **The State Family Support Council members visited the contract agencies to conduct programmatic monitoring to review the agency's compliance with the Family Support Guidelines and to ensure the agencies are following what they proposed to do upon award of the Family Support contract July 1, 2012 – June 30, 2015.**
- **The State Council held one of the quarterly meetings at a contract agency. The director of the contract agency gave an overview of the programs they provide and stressed the importance of utilizing these programs to off-set costs to the Family Support Program.**
- **A retreat was held in Nashville for the contract agencies, and the State Council members planned the agenda and presented information to the agency staff.**
- **Many of the State Council members attend the annual Legislative Reception and Disability Days on the Hill to meet with their local representatives and thank them for their ongoing support to the Family Support Program.**
- **The State Family Support Council reviews the data for the Family Support Program at each meeting and provides recommendations to contract agencies when warranted.**
- **Family Satisfaction Surveys were sent to families receiving Family Support services. The State Family Support Council reviews the outcomes and comments the families submit and share the favorites**

with the Legislators. The feedback is always very positive with close to a 50% return.

- **The State Family Support Council plays an active role in reviewing the Family Support Guidelines and working with the Department to ensure that amendments are made when changes in the program occur. The Comptroller completed an audit for the Family Support Program which resulted in revising sections of the guidelines with the Department to ensure the program is operating per Title 33, and a data collection system was developed for the contract agencies to ensure that all agencies are collecting and reporting data consistently.**
- **The State Family Support Council offers guidance and recommendations to the Local and District Councils regarding priorities they develop for approving families for the program.**
- **The State Family Support Council serves as the third and final step in the Family Support appeal process. One grievance was submitted to the State Council, and the State Council upheld the Local and District Council decision to not reimburse a recipient until appropriate documentation of services was submitted.**

12. What reports does the council prepare on its operations, activities, and accomplishments, and who receives these reports?

The State Family Support Council does not prepare reports on program operations, activities, and accomplishments. The State Family Support Council provides guidance to the Department of Intellectual and Developmental Service's program support staff. Based on the State Family Support State Council recommendations the Department's support staff compiles the following reports:

- **quarterly meeting agendas;**
- **quarterly meeting summaries**
- **quarterly and annual data;**
- **programmatic review outcomes; and**
- **annual Family Satisfaction survey responses.**

These reports are disseminated to the State Family Support Council, Regional Office Family Support staff, Family Support agencies, and other entities.

13. Please describe the family support services program, including information on its revenues and expenditures for fiscal years 2013 and 2014 and to date in fiscal year 2015, its staffing, and its major activities (including types of services provided and numbers of persons served). How has the council assisted the program in carrying out its responsibilities?

The primary focus of the Family Support Program is specified in TCA Section 33-5-203, which is supporting:

- (1) Families with children with a severe or developmental disability, school age and younger;**

- (2) Adults with a severe or developmental disability who choose to live with their families; and**
- (3) Adults with a severe or developmental disability who are residing in the community in an unsupported setting not a state or federally funded program.**

Further, the legislative intent and principles for developing the Family Support Program delineated in TCA Section 33-5-202 as follows:

- (a) The policy of the state is that persons with severe or developmental disabilities and their families be afforded supports that emphasize community living and enable them to enjoy typical lifestyles.**
- (b) Programs to support families shall be based on the following principles:**
 - (1) Families and individuals with severe or developmental disabilities are best able to determine their own needs and should be empowered to make decisions concerning necessary, desirable, and appropriate services and supports;**
 - (2) Families should receive the support necessary to care for their relatives at home;**
 - (3) Family support is needed throughout the life span of the person who has a severe or developmental disability;**
 - (4) Family Support services should be sensitive to the unique needs, strengths, and values of the person and the family, and should be responsive to the needs of the entire family;**
 - (5) Family Support should build on existing social networks and natural sources of support in communities;**
 - (6) Family Support services should be provided in a manner that develops comprehensive, responsive, and flexible support to families as their needs evolve over time;**
 - (7) Family Support services should be provided equitably across the state and be coordinated across the numerous agencies likely to provide resources and services and supports to families; and**
 - (8) Family, individual and community-based services and supports should be based on sharing ordinary places, developing meaningful relationships, learning things that are useful, and making choices as well as increasing the status and enhancing the reputation of persons served.**

Revenues and Expenditures:

For FY 2013, FY 2014, and FY 2015 the Family Support Program revenue was \$7,380,800 each year. Currently, the Department of Intellectual and Developmental Disabilities contracts with eighteen community agencies to administer the Family Support program; 85% of the funding is contracted for direct services to families and 15% for administrative costs. The funding is distributed to each county based on the census population; with a floor amount of \$23,800 for the smaller counties.

Data for FY 2013:

\$6,276,375 was spent for direct services (average expenditure of \$1,320 per individual)

4,753 individuals received services

3,671 individuals are waiting for services

Data for FY 2014:

\$6,279,679 was spent for direct services (average expenditure of \$1,232 per individual)

5,094 individuals received services

3,807 individuals are waiting for services

Data for FY 2015 (July 1, 2014 – March 31, 2015; three quarters):

\$4,071,602 was spent for direct services

4,457 individuals received services

2,992 individuals are waiting for services

Family Support services are flexible in meeting the family's needs. To date the following services have been provided:

Respite Care, Personal Assistance, Specialized Equipment/Repair/Maintenance, Home Maker, Home Modifications, Health Related, Before & After Care/Day Care/Transportation/.Nutrition, Clothing, & Supplies, Vehicular Modifications, Nursing/Nurse's Aide, Family Counseling, Recreation/Summer Camp, Evaluation, Training, Therapy, Dental, and other services.

The State Family Support Council plays a strong role in assuring that the Family Support Program is family friendly and family driven. The Council reviews expenditures quarterly, monitors the program, and keeps abreast of activities statewide. Families provide feedback each year on the program.

14. Describe any items related to the council that require legislative attention and your proposed legislative changes.

No legislative changes are needed.

15. Should the council be continued? To what extent and in what ways would the absence of the council affect the public health, safety, or welfare?

The State Family Support Council should be continued. The values of Family Support Program are rooted in family involvement and empowerment. Families play a lead role in many stages of the program. At the state level, the Family Support Council, a majority of whose members are individuals with disabilities or their family members participate with the Department of Intellectual and Developmental Disabilities in the development of program policies and procedures and the implementation of the Family Support Program. The program also includes District and Local Family Support Councils which advise Family Support agencies, provide oversight and make recommendations to the State Family Support Council on funding needs and priorities for services. It is crucial to the program for the State Family Support Council to continue its endeavors.

Not having these Councils involved in the policy-making and implementation of the Family Support Program would lessen the program's ability to be responsive to the needs of Tennesseans with disabilities. Removing a core element of the program, consumer and family involvement, would defeat the purpose intended by the advocates and legislators who worked for passage of enabling legislation for the Family Support Program.

16. Has the council developed and implemented quantitative performance measures for ensuring it is meeting its goals? (Please answer either yes or no). If the council has developed and implemented quantitative performance measures, answer questions 17 through 24. If the council has not developed quantitative performance measures, proceed directly to question 25.

Yes.

17. What are your key performance measures for ensuring the council is meeting its goals? Describe so that someone unfamiliar with the program can understand what you are trying to measure and why it is important to the operation of your program.

The State Family Support Council and the Department developed guidelines for the operation of the program and Councils. The guidelines are reviewed on an ongoing basis to ensure they are updated as changes occur.

- **Eligibility for the program (the State Council and the Department developed an Eligibility Checklist for the contract agencies, and they review a random sample of the Eligibility Checklists during the Program Reviews at the contract agencies);**
- **Selection and enrollment criteria for the program (the State Council and the Department reviews the priorities established by the Local and District Councils);**
- **Plan for services (the State Council and Department developed a Service Plan for the contract agencies - the plan reflects the services approved and the amount to be provided);**
- **Service Coordination is provided to ensure all families have access to programs, benefits, and information (the State Council and the Department requires the contract agencies to attempt to assist all families in finding services in the community);**
- **Family Support Councils (the State Council and the Department developed guidelines for the State, District, and Local Councils for membership and their duties);**
- **Role of the Departments Regional office staff (the State Council and the Department established criteria for the Department's Regional Family Support staff);**
- **Contracting (the State Council and the Department outline the establishment of grants/contracts, procedures, role and responsibilities of contract agencies, and statewide time frames for contract staff);**

- **Claims and Reporting (the Department developed a tool for data collection with the State Councils input and recommendations);**
- **Grievance and Appeals (the State Council and the Department have procedures in place to follow to resolve any complaint or grievance that a family may have regarding Family Support services);**
- **Program Evaluation (the State Council and the Department have instructions for disseminating a survey to families to evaluate program performance);**
- **Family Support Review (the State Council and the Department have developed procedures for conducting a programmatic review of the contract agencies);**

18. What aspect[s] of the program are you measuring?

Program operations, oversight, satisfaction, and accountability.

19. Who collects relevant data and how is this data collected (e.g., what types information systems and/or software programs are used) and how often is the data collected? List the specific resources (e.g., report, other document, database, customer survey) of the raw data used for the performance measure.

The Department's support staff compile the following reports:

- **quarterly meeting agendas;**
- **quarterly meeting summaries**
- **quarterly and annual data;**
- **programmatic review outcomes; and**
- **annual Family Satisfaction survey responses.**

20. How is the actual performance measure calculated? If a specific mathematical formula is used, provide it. If possible, provide the calculations and supporting documentation detailing your process for arriving at the actual performance measure.

The performance measures are documentation of action steps that are required per Family Support Guidelines.

21. Is the reported performance measure result a real number or an estimate? If an estimate, explain why it is necessary to use an estimate. If an estimate, is the performance measure result recalculated, revised, and formally reported once the data for an actual calculation is available?

The data collection and family surveys results are real number outcomes. Other reports are an overview of performance.

22. Who reviews the performance measures and associated data/calculations? Describe any process to verify that the measure and calculations are appropriate and accurate.

The contract agencies, Local/District/State Council(s), the Department, and other outside entities.

23. Are there written procedures related to collecting the data or calculating and reviewing/verifying the performance measure? Provide copies of any procedures.

There are written procedures for collecting data:

http://www.tn.gov/assets/entities/didd/attachments/FS_Claims_Reporting_Process_Users_Guide.pdf

24. Describe any concerns about the council's performance measures and any changes or improvements you think need to be made in the process.

It is felt that the Council is operating per Family Support Guidelines and Title 33.

25. Please list all council programs or activities that receive federal financial assistance and, therefore are required to comply with Title VI of the Civil Rights Act of 1964. Include the amount of federal funding received by program/activity.

The Family Support Program and State Family Support Council do not receive federal financial assistance.

If the council does receive federal assistance, please answer questions 26 through 33. If the council does not receive federal assistance, proceed directly to question 32.

26. Does the council prepare a Title VI plan? If yes, please provide a copy of the most recent plan.
27. Does the council have a Title VI coordinator? If yes, please provide the Title VI coordinator's name and phone number and a brief description of his/her duties. If not, provide the name and phone number of the person responsible for dealing with Title VI issues.
28. To which state or federal agency (if any) does the council report concerning Title VI? Please describe the information your council submits to the state or federal government and/or provide a copy of the most recent report submitted.
29. Describe the council's actions to ensure that association staff and clients/program participants understand the requirements of Title VI.
30. Describe the council's actions to ensure it is meeting Title VI requirements. Specifically, describe any council monitoring or tracking activities related to Title VI, and how frequently these activities occur.
31. Please describe the council's procedures for handling Title VI complaints. Has the council received any Title VI-related complaints during the past two years? If yes, please describe each complaint, how each complaint was investigated, and how each complaint was resolved (or, if not yet resolved, the complaint's current status).
32. Please provide a breakdown of current council staff by title, ethnicity, and gender.

The State Family Support Council itself has no staff. However, Jan Coatney, an employee of the Department of Intellectual and Developmental Disabilities, coordinates and oversees the statewide operation of the program in conjunction with the Department's Regional Office staff. Ms. Coatney is a Program Specialist 3, Caucasian, and a female.

33. Please list all council contracts, detailing each contractor, the services provided, the amount of the contract, and the ethnicity of the contractor/business owner.

The State Family Support Council is a volunteer organization without any revenue.